



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,723	05/16/2001	Hiroataka Nakano	WN-2338	9420

466 7590 01/18/2005

YOUNG & THOMPSON
745 SOUTH 23RD STREET
2ND FLOOR
ARLINGTON, VA 22202

EXAMINER

DIMYAN, MAGID Y

ART UNIT PAPER NUMBER

2825

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/855,723	Applicant(s) NAKANO ET AL.	
	Examiner Magid Y Dimyan	Art Unit 2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-6 and 8-26 is/are allowed.
- 6) ☒ Claim(s) 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgement

1. Receipt is acknowledged of the Amendments to the Claims, and to the Remarks, both filed on 16 December 2004. It is also acknowledged that the Applicants have amended the claims to overcome the objections cited by the Examiner in the Office Action. Thus claims 2 – 6 and 8 – 26 are allowable. However, the Applicants arguments pertaining to the rejection of claim 7 are not persuasive, for the reasons indicated below. Claims 2 – 26 remain pending in this Application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2825

3. Claim 7 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,594,799 to Robertson et al. (hereinafter, "Robertson").

4. Referring to claim 7, Robertson discloses a method and system of manufacturing a semiconductor IC comprising a data-managing center having a database, a designing center, and a manufacturing center (see Fig. 2; col. 6, lines 20 – 36; col. 9, lines 42 – 50), which are connected via the Internet (see again Fig. 2), wherein said designing center and said manufacturing center use information contained in the database of the data-managing center (Fig. 2; col. 12, lines 4 – 34; col. 13, lines 1 - 45), performs two-way communication with said client (Fig. 2), and thereby progress the production of the IC (see Figs. 2 -10), wherein said designing center and said manufacturing center report work progress status information to said data-managing center voluntarily or in response to inquiry received from said data-managing center (see Fig. 3 – 10; col. 9, line 40 – col. 10, line 62). See also col. 15, ll. 21 – 38, which discloses that a user can perform searches and queries and receives results regarding work progress in combination with other information as part of the user profile data. Thus, Robertson cites all the claimed elements.

Allowable Subject Matter

5. Claims 2 – 6 and 8 – 26 are allowed.

Art Unit: 2825

6. The following is a statement of reasons for the indication of allowable subject matter: the reasons for allowing these claims are given in the previous Office Action.

Response to Remarks

7. Applicant's Remarks filed 16 December 2004 have been fully considered but they are not persuasive. The Applicants allege that Robertson does not teach the element of the manufacturing center reporting work progress information to the data-managing center. As indicated above, the required information is indeed made available to the user (see col. 15, ll. 21 – 38; see also Fig. 6, blocks 616, 618; Fig. 7, blocks 716, 718). As for the Applicants' remarks regarding to the definition of when "work progress" commences, it is the Examiner's contention that work commences at the inception of any project, including design, manufacture, etc. Robertson teaches that any information a user is interested in obtaining at any time during a project can be made available to the user. See again Figs. 6 – 10. Thus, for these reasons the Examiner maintains the rejection of claim 7.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is

Art Unit: 2825

filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magid Y Dimyan whose telephone number is (571) 272-1889. The examiner can normally be reached on Monday - Friday 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S Smith can be reached on (571) 272-1907. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2825

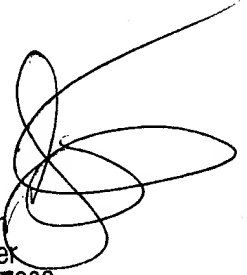
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

myd
13 January 2004

MYD

Magid Y Dimyan
Examiner
Art Unit 2825

A. M. Thompson
Primary Examiner
Technology Center 2800

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.